

HEIKKILÄ et al  
Appl. No. 09/913,331  
December 10, 2004

### REMARKS

The rejection is that claims 1-8 and 17-33 are not supported by a written description of the application as filed is traversed.

Contrary to the rejection, the claim terms "wherein the pulp fed is of varying consistency", "a consistency of the pulp changes in time" and "the pulp being fed at various times during the method has a dilute consistency" are fully supported by the original application, are not improperly broader than the original disclosure, and are definitive.

The original application discloses a source of pulp, e.g., a blow tank, that feeds pulp at a consistency that changes over time. *See e.g.*, page 1, ln. 23 to page 3, ln. 22 ("During the discharge process, the consistency of the pulp may vary even between zero and ten percent."); *see also* page 5, ln. 20 to page 6, ln. 15. Figure 1 shows a variation in the consistency of pulp over a period of time. These sections of the application support the claim terms that are the subject of the rejection.

The original application also discloses that the consistency of pulp varies from one discharge event to another. At page 2, starting at line 23, the application states:

"Especially when running the tank in order to empty it or sometimes even in normal running situations, depending on the surface level, said filtrated pulp causes remarkable consistency variations when entering the mixing zone at the bottom part of the tank, which consistency variations can not be equalized in the mixing zone, but the pulp is discharged further at too high a consistency."

HEIKKILÄ et al  
Appl. No. 09/913,331  
December 10, 2004

The above-quoted section of the application refers to variations in pulp consistency depending on the discharge event, e.g. normal operation or emptying the tank.

Another example of this application disclosing pulp consistency varying from tank discharge event to tank discharge event is at page 5, lines 20-31, which states:

"The time interval between two blows is about 20-40 minutes, depending on the size and number of digesters. In our studies we have noticed that said interval in the order of about half an hour is sufficient to cause the pulp on the surface in the blow tank to filtrate, or thicken, whereby a relatively solid, and continuously solidifying, pulp cake is formed onto the surface of the pulp already existing in the tank. . . . That is, each mill and each operator there and even each digester may produce different consistency profiles as the function of discharge time."

By disclosing that the pulp varies from one blow to another, the application discloses pulp consistency variations from one discharge event to another. The application also states that the consistency of the pulp is affected by the "quality and type of pulp" (p. 2, ln. 22-23) which discloses that the consistency of the pulp varies as the tank is drained of a first type of pulp (a first discharge event) and is later drained of another type or quality of pulp (a second discharge event). Because the application discloses that the a blow tank may discharge pulp of varying consistencies during a single discharge event, and from one discharge event to another, the application provides a written description of the invention as defined by the pending claims.

Contrary to the Action, separate embodiments of the invention are not needed to handle variations in pulp consistency that occur during a single discharge event and that occur from one event to another. The invention as disclosed address changes in pulp

HEIKKILÄ et al  
Appl. No. 09/913,331  
December 10, 2004

consistency regardless of whether the consistency changes during a single discharge event or from one discharge event to another. The inventive technique for handling variations in pulp consistency during a single discharge event is equally applicable to changes in consistency from one discharge event to another. The written description of the invention is as applicable to situations where the pulp consistency varies over multiple discharge events and where the pulp consistency variations occur during a single discharge event. Accordingly, the application provides a complete written description of the pending claims. The rejection should be withdrawn.

The rejection of claims 1-8 and 17-33 as being indefinite is traversed for substantially the same reasons as stated above. Contrary to the rejection, the original application does disclose pulp consistency that changes with time. Figure 1 of the original application discloses one example of pulp consistency that changes with time. The claims are not indefinite for requiring the pulp consistency to vary with time. The suggestion that the claims be limited to a specific time period, such as one blow tank discharge or 40 minutes, would unnecessarily limit the scope of the claims. A person of ordinary skill in the art would understand that the claims refer to pulp consistency that varies with time.

The claim term "condensed consistency" has been replaced by "thick consistency". The specification refers to a blow tank to have "thicken" pulp filtrate and, at other times, to have "diluted" pulp filtrate. See, e.g., spec. p. 7, lns. 22-26 and also p. 2, ln. 5; p. 3, ln.

HEIKKILÄ et al  
Appl. No. 09/913,331  
December 10, 2004

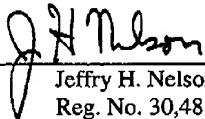
6 and p. 5, ln. 26. Accordingly, the term "thick consistency" is supported in the specification.

All claims are in good condition for allowance. If any small matter remains outstanding, the Examiner is requested to telephone applicants' attorney. Prompt reconsideration and allowance of this application is requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: \_\_\_\_\_

  
Jeffrey H. Nelson  
Reg. No. 30,481

JHN:glf:lcb  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100